

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

ANTWAN VONTELL MAYE,

Plaintiff,

VS.

**OFFICERS CHARLES WILLIS
and WALTER HAWKINS,**

Defendants.

Case No: 2:10-CV-1822-CLS-TMP

MEMORANDUM OPINION

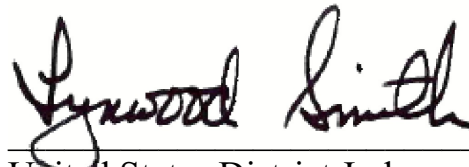
The magistrate judge filed a report and recommendation on August 9, 2011, recommending that the defendants' motion for summary judgment be granted and this cause be dismissed with prejudice. Plaintiff filed objections on August 26, 2011.

The plaintiff objects to the magistrate judge stating that the plaintiff did not report suffering any injuries from the incident which is the subject of this lawsuit. The plaintiff contends this is false and, instead of disputing that statement with facts explaining what injuries he suffered or what treatment he received, he refers the court to an affidavit that he claims to have attached to his original complaint and states, “said affidavit [sic] proffers all of the requisite information or claims which this court asserts were omitted [sic] by this court.” A thorough review of the file, including

the original complaint¹, fails to show that the plaintiff has ever explained to this court what injuries he suffered and what treatment he required for those injuries as a direct result of the incident.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections filed by the plaintiff, the Court is of the opinion that the magistrate judge's report is due to be, and it hereby is, ADOPTED, and his recommendation is ACCEPTED. The Court EXPRESSLY FINDS that there are no genuine issues of material fact and that the defendants are entitled to judgment as a matter of law. Accordingly, defendants' motion for summary judgment is due to be granted and this action is due to be dismissed with prejudice. A Final Judgment will be entered.

DONE this 23rd day September, 2011.

A handwritten signature in black ink, appearing to read "Lynwood Smith", written over a horizontal line.

United States District Judge

¹ There is no affidavit attached to the original complaint.